

Burundi: Bye-bye Arusha?

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EXECUTIVE SUMMARY AND RECOMMENDATIONS

Although the institutions are functioning and the government has been priding itself on its development and security achievements, Burundi is regressing. Due to the 2010 electoral impasse, the Arusha agreement has been replaced by a de facto one-party system characterised by the end of dialogue between the opposition and the ruling party, the government's authoritarian drift and the resumption of political violence. Respect for the political minorities and rule of law has been largely ignored since 2010. To ensure lasting stability, the political actors should resume dialogue, guarantee pluralism for the 2015 elections and support a consensual transitional justice process. Given that they sponsor peacebuilding efforts, provide a significant amount of aid to Burundi and in the absence of other donors, the current international partners should focus on these issues while discussing with the government.

The dust has not yet settled since the 2010 elections. After boycotting the electoral process, the opposition parties formed a coalition (the Democratic Alliance for Change, ADC-Ikibiri) and several opposition leaders went into exile. A wave of mutual violence by the opposition and the ruling party (the National Council for the Defence of Democracy and the Forces for the Defence of Democracy, CNDD-FDD) ensued. Challenged by armed groups and criticised by civil society, the government has resorted to repression and intimidation.

The control of the institutions by the ruling party and the absence of a genuine opposition made the power-sharing system defined by the Arusha agreement irrelevant. The ruling party is managing state business and the transitional justice process as it wishes. In addition, it is instrumentalising the security services and is preparing a constitutional change behind closed doors. Today, the only checks and balances are the media and civil society.

However, there is a window of opportunity. On the one hand, socio-economic problems, rising social discontent and extrajudicial killings put severe strains on the government. On the other hand, parallel dialogues have recently started between the European Union and the Burundian government and between Burundian political actors. From 28 May to 2 June 2012, the non-governmental organisation (NGO) Initiatives and Change hosted a meeting in Switzerland with representatives of most of the opposition parties, civil society leaders and two members of the ruling party.

Continuing these parallel dialogues and consolidating peace in Burundi will require mutual concessions by the ruling party and the opposition. It will also require that the donors maintain dialogue with the authorities on the political and security problems and resort to financial incentives, particularly for the preparation of the elections and the security sector reform. International efforts should focus on protecting journalists and civil society activists, empowering the independent human rights commission and promoting a security sector reform centred on human rights.

RECOMMENDATIONS

To the Government and the Opposition of Burundi:

1. Initiate quickly inclusive talks as a follow-up to the Switzerland meeting and focusing on the return of the opposition leaders, the respect of political freedom, the legal framework for the 2015 elections and the issue of political detainees.

To the Opposition:

2. Condemn publicly political violence and stop questioning the legitimacy of the 2010 elections.

To the Government:

3. Ensure political pluralism ahead of the 2015 elections by:

a) reviewing laws and bills about political parties, media and demonstrations and public gatherings that may limit political competition and freedom of speech;

b) making sure that the leadership of the new electoral commission is designated following a consensus among the entire Burundian political class; and

c) organising a public debate about the eligibility of the current president.

4. Establish a tripartite committee (government officials, civil society representatives and foreign partners), following the conclusions of the nationwide consultations on transitional justice, to review the bill on the truth and reconciliation commission; and ensure that the elections timetable does not collide with that of the commission.

5. Establish a constitutional review committee composed of civil society representatives, politicians from all sides and, if needed, international experts.

To Civil Society and the Media:

6. Create a warning system and a legal assistance fund in case of threats and prosecutions against journalists and civil society activists.

To the International Community and, in particular, the U.S., the UN office in Burundi and the European Union (and all the European countries represented in Bujumbura):

7. Defend press freedom by:

a) supporting publicly the abolition of press offences during the public debate related to the new draft bill on the media;

b) providing technical and financial support for the nationwide extension of media coverage and offering training programs for the Burundian media; and

c) promoting quality work in the media through awards for the best journalists.

8. Organise a roundtable with the ruling party and the main opposition parties in order to define a consensual roadmap for the 2015 elections.

9. Support the warning system and contribute to the legal assistance fund to respond to threats and prosecutions against journalists and civil society activists.

10. Support the legal assistance program of the independent human rights commission and provide training for its personnel.

11. Focus the security sector reform (SSR) on human rights by:

a) using human rights indicators in the assessment methodology of the reform;

b) prioritising support for effective internal and external checks and balances in SSR programs; and

c) ensure financial support for the SSR is commensurate with progress on human rights and democratic control of the security services.

To the European Union:

12. Include in the agenda of the political dialogue: preparation of the 2015 elections, dialogue between the ruling party and the opposition, transitional justice, the abolition of press offences, the human rights and political freedom situation, and the involvement of security forces' officials in human rights violations.

Bujumbura/Nairobi/Brussels, 25 October 2012